

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,)
v.)
CITY OF ESPAÑOLA)
Plaintiff,)
v.)
Defendant.)
PUEBLO OF SANTA CLARA'S
UNOPPOSED MOTION FOR
LEAVE TO INTERVENE
Case No. 16-cv-00391-KBM-LAM

The Pueblo of Santa Clara (the “Pueblo” or “Santa Clara”), by and through its undersigned counsel, moves the Court for leave to intervene as a plaintiff in the above-captioned action. Acting on its own behalf and in its capacity as trustee for the Pueblo, the United States commenced this action against the City of Española (the “City”), alleging that certain of the City’s water and sewer lines are in trespass on the Pueblo’s lands. The Pueblo seeks leave to intervene and to file its own complaint asserting trespass claims for all of the City’s roadways and utility lines that are in trespass on the Pueblo’s lands. The Pueblo’s proposed Complaint in Intervention for Trespass is attached to this motion.

For the reasons set forth in the Pueblo's accompanying memorandum of law, the Pueblo moves for intervention as of right under Fed. R. Civ. P. 24(a)(2), or alternatively requests that the Court grant permissive intervention under Fed. R. Civ. P. 24(b)(1)(B). The Pueblo has conferred with counsel for the United States and

for the City; neither opposes this motion. The Pueblo respectfully requests that this Court grant its motion intervene and allow the Pueblo to file its proposed Complaint in Intervention for Trespass. A proposed order granting this motion is attached.

Respectfully submitted,

Dated: June 3, 2016

/s/ Richard W. Hughes

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CERTIFICATE OF SERVICE

I hereby certify that on June 3, 2016, I caused a copy of the Pueblo of Santa Clara's Unopposed Motion for Leave to Intervene and accompanying papers to be served via CM/ECF on the following counsel:

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